

## Abilene Cardiovascular Surgery, P.A.

David E. Carlson, M.D., F.A.C.S. • Scott H. Crocker, M.D., F.A.C.S. • Lawrence R. Breitreutz, M.D., F.A.C.S.  
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**FILED**

**DEC 02 2013**

**TAWANA G. MARSHALL, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS**

November 29, 2013

U.S. Bankruptcy Court  
1205 Texas Ave., Room 306  
Lubbock, TX 79401

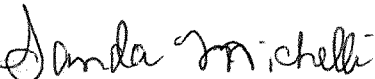
IN RE: Ricky Don White  
Carolyn Ann White  
CASE NO: 13-10093  
CHAPTER: 13  
JOB CODE: 12

This is a response to the "trustee's recommendation concerning claims, objection to claims and plan modification" section 1.

Our place of business, Abilene Cardiovascular Surgery, PA, did not receive the Proof of Claim notice. Our business would have filed the Proof of Claim had we received notice. We would like the opportunity to do so.

Thank you for your time.

Sincerely,

  
Sanda Michelli  
Adminstrator

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Walter O'Cheskey  
Chapter 13 Trustee  
6308 Iola Ave., Suite 100  
(806) 748-1980 Phone  
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IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

IN RE:

RICKY DON WHITE  
CAROLYN ANN WHITE

CASE NO: 13-10093-RLJ-13

HEARING DATE: 1/1/2014

HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectfully show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
010 0 U	ABILENE CARDIOLOGY CONSULTANTS	\$396.00	011 0 U	ABILENE CARDIOVASCULAR SURGERY PA	\$17,648.00
012 0 U	ABILENE DIAGNOSTIC CLINIC	\$348.00	013 0 U	ABILENE REGIONAL MEDICAL CENTER	\$3,901.00
015 0 U	CLINICAL PATHOLOGY ASSOCIATES	\$856.00	016 0 U	CRD PRT ASSO	\$136.00
017 0 U	CROCKER & ASSOCIATES	\$1,000.00	018 0 U	DIRECT TV	\$270.00
020 0 U	FIRST CHOICE POWER	\$338.00	021 0 U	FIRST NATL BK/BAIRD	\$683.00
024 0 U	HILCO ELECTRIC COOPERATIVE	\$347.00	025 0 U	MBRS CHOICE OF C TX FC	\$24.00
027 0 U	PROVIDENCE HEATH CENTER	\$1,234.00	028 0 U	RADIOLOGY ASSOCIATES OF ABILENE	\$550.00
029 0 U	TEXAS MIDWEST ER PHYSICIANS	\$962.00	030 0 U	THIRD COAST EMERGENCY PHYSICIANS	\$272.00
031 0 U	UNITED ACCPT	\$1.00	032 0 U	WACO CARDIOLOGY ASSOCIATES	\$445.00
033 0 U	WACO GASTRO ENDOSCOPY	\$200.00	034 0 U	WEST TEXAS RADIOLOGY	\$163.00
052 0 U	BRISTOL WEST INSURANCE CO	\$144.00			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0	ABILENE TEACHERS FEDERAL CREDIT UNION	2004 FORD F250	\$14,706.98	\$16,000.00	5.00%	60	\$292.54 PAID BY TRUSTEE
	Claim term extended from 52 to 60 months. See Trustee's Modification below.						
009 0	RANDY BLANTON	1997 FORD F150	\$0.00	\$15,100.00			PD DIRECT BY DEBTOR
<b><u>PRIORITY CREDITORS</u></b>							
003 0 *	INTERNAL REVENUE SERVICE	2006, 2009-2010 INCOME, 2011-2012 UNAS LIAB TAXES	\$15,463.91			60	\$303.21 PAID BY TRUSTEE
	Claim term extended from 52 to 60 months. See Trustee's Modification below.						

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
014 0 U	AMERICAN HONDA FINANCE CORPORATION PURCHASES	\$11,523.80	019 0 U	ECMC STUDENT LOAN	\$2,382.08
022 0 U	PREMIER BANKCARD /CHARTER PURCHASES	\$497.84	023 0 U	HENDRICK MEDICAL CENTER MEDICAL SERVICES	\$5,766.35
026 0 U	AMERICAN INFOSOURCE MEDICAL SERVICES/TX HEALTH PRESBYTERIAN HOSPITAL OF DALLAS	\$3,827.68	035 0 U	WORLD FINANCE CORPORATION LOAN	\$1,227.79
054 0 U *	ABILENE PHYSICIANS GROUP DCF MEDICAL SERVICES Not provided for in confirmed plan.	\$893.74	058 0 U *	PALISADES COLLECTIONS LLC SERVICES/AT&T Not provided for in confirmed plan.	\$1,242.81
060 0 U *	INTERNAL REVENUE SERVICE 2006 INCOME TAXES Not provided for in confirmed plan.	\$1,051.91	061 0 U *	INTERNAL REVENUE SERVICE PENALTY Not provided for in confirmed plan.	\$2,182.18
062 0 U *	RJM ACQ LLC PURCHASES/DOUBLEDAY BOOK CLUB Not provided for in confirmed plan.	\$85.10	064 0 U *	PREMIER BANKCARD /CHARTER PURCHASES Not provided for in confirmed plan.	\$462.62
065 0 U *	QUANTUM3 GROUP MEDICAL SERVICES/TAYLOR EMERGENCY MEDICINE ASSOC PA Not provided for in confirmed plan.	\$1,166.00	066 0 U *	QUANTUM3 GROUP LLC MEDICAL SERVICES/TAYLOR EMERGENCY MEDICINE ASSOC PA Not provided for in confirmed plan.	\$992.00
069 0 U *	JEFFERSON CAPITAL SYSTEMS LLC MEDICAL SERVICES/EMERGENCY ROOM Not provided for in confirmed plan.	\$929.00	070 0 U *	JEFFERSON CAPITAL SYSTEMS LLC MEDICAL SERVICES Not provided for in confirmed plan.	\$339.00
071 0 U *	JEFFERSON CAPITAL SYSTEMS LLC MEDICAL SERVICES	\$339.00	072 0 U *	ASSET ACCEPTANCE LLC SERVICES/WINDSTREAM COMM ALL TEL Not provided for in confirmed plan.	\$577.53
073 0 U *	ASSET ACCEPTANCE LLC SERVICES/WINDSTREAM ALL TEL Not provided for in confirmed plan.	\$341.42	074 0 U *	SOUTHWESTERN BELL TELEPHONE COMPANY SERVICES Not provided for in confirmed plan.	\$1,672.39

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely response or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s) Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Beginning 5/17/2013 debtor shall make 9 payments of \$620.00. Beginning 2/17/2014 debtor shall make 51 payments of \$662.00 and \$465.00 in paid ahead receipts already received by Trustee; for a total plan contribution of \$39,807.00. The plan term and all creditor terms have been extended to 60 months.

/s/ Walter O'Cheskey

Walter O'Cheskey  
Chapter 13 Trustee

NOTICE OF HEARING AND PRE-HEARING CONFERENCE: IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 1/1/2014 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 11/20/2013

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee